IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

VERLEE ALBERT, JR., #1464905 §

VS.

§ CIVIL ACTION NO. 4:09cv125

JIM ZEHETNER §

ORDER OF DISMISSAL

Plaintiff Verlee Albert, Jr., a Texas prison inmate, proceeding *pro se* and *in forma* pauperis, filed the above-styled and numbered civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge Don D. Bush, who issued a Report and Recommendation for the disposition of the lawsuit. The Plaintiff has filed objections.

The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the lawsuit is DISMISSED pursuant to 28 U.S.C. § 1915A(b)(1) and that the Plaintiff's claims are dismissed with prejudice to their being asserted again until the *Heck v*. *Humphrey*, 512 U.S. 477, 486-87 (1994), conditions are met. It is further

ORDERED tha	at all moti	ons not prev	iously ruled on are	DENIED.	
SIGNED this _	4th	_ day of	June	, 2009.	
			Rich	and As	Sall
			RICHARD A	A. SCHELL ATES DISTRIC	T IUDGE